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Statement by
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Before the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, on the Question of East Timor

New York, 14 August 1989

Mr. Chairman,

As in previous years, my Delegation already has placed on record its strong objection to the discussion of the so-called East Timor question by the current session of this Committee. Hence it is not my intention to tire the Committee by repeating it once again. We do however feel constrained to offer some observations on the travesty of justice committed against the East Timorese people and all Indonesian citizens here today.

This Committee has been subjected to the same issues and unsubstantiated allegations, the same standard fare of contorted arguments and wilfull misrepresentations, confirming once again that the anti-Indonesian petitioners did not nor could they come up with any new credible elements in their presentations. Yet there is nothing new in this shameful canard, since the tiresome pattern for the past few years now has been for these self-styled defenders of East Timor to first trudge out their patently ludicrous contentions before the Commission on Human Rights in Geneva, which then rejects their self-righteous and sanctimonious assertions as baseless and not worthy for any action whatsoever. Next these same petitioners come to New York to harangue this Committee with what has already been deemed to be without merit or credibility. My delegation has little doubt but that this Committee too would render the same ruling as that of the Commission if only it was allowed to do so. Be that as it may, the reality is that neither the General Assembly, which has deferred consideration of the item for seven consecutive sessions, nor the non-aligned movement which dispensed with the matter nearly a decade ago, regard this question as deserving of their time and attention. Consequently, this Committee is prevented from acting as a true barometer of the views of the international community as they have evolved on this

issue, which have clearly showed a growing understanding of what really transpired in East Timor and a preponderance of support for the Indonesian position. Therefore my Delegation has little alternative but to set the record straight concerning the truth about the process of decolonization as it pertains to East Timor and to bring the members up - to- date on the prevailing situation in the province.

Mr. Chairman,

There has always been a striking aspect to the manner in which the petitioners have conducted their disinformation campaign against my Government, especially as it pertains to their deliberate attempts at historical revisionism with regard to the process of decolonization in East Timor. In this, there appears to be a direct correlation with the increasing stridency of Portugal in seeking to absolve itself of responsibility for what transpired in East Timor during the latter part of 1975. Indeed, if Portugal's apologists were to be believed, then Portugal never abandoned the territory in August 1975, it never armed one particular East Timorese faction, there was no civil war in the territory and the decolonization process was proceeding in a peaceful and orderly manner until Indonesia's involvement.

The facts, Mr. Chairman, as distinct from the fictions and disinformation spread by our detractors, show an entirely different picture. For one thing the historical chronology of events confirms that whatever was left of an orderly and peaceful decolonization process came to an abrupt halt when in August 1975 the Portuguese colonial administration abandoned East Timor in a most irresponsible manner. They did so after first allowing the situation in the territory to deteriorate to the point of civil war, by instigating the party of its own creation to seize power and to start a reign of terror against their political opponents while providing the arms to enable them to do so. When the situation got out of hand, the

then Portuguese Governor and his staff simply packed up and left, causing a complete breakdown of governmental authority.

For another thing, as the historical record shows, it was this party which from the outset refused to participate in an orderly and democratic process of decolonization. Aided and encouraged by elements within the colonial administration, it sabotaged all meetings organized by Portugal to ensure a peaceful process of transfer. Thus, it was the attempt to seize power by force of arms rather than through any semblance of an exercise of popular self-determination and the subsequent refusal by the East Timorese to accept the diktat of the armed minority that plunged the territory into violent civil war.

In August and November 1975 Indonesia was not even involved in the tragic events unfolding in East Timor, although it had to bear the consequences of the turmoil in the form of 40,000 East Timorese refugees fleeing across the border into West Timor.

Thus, historically and factually there are no grounds whatsoever to accuse Indonesia of having disrupted East Timor's decolonization process. No amount of convoluted arguments and disinformation can obliterate the responsibility that Portugal and its collaborators at the time must bear in this. Thus by failing in its responsibility, Portugal in our view has forfeited any right whether legal or moral to be considered the administering power in East Timor.

Indonesia's subsequent involvement in East Timor can therefore be seen to be as responding, as correctly and restrainedly as possible, to the chaotic and tragic circumstances which unfortunately accompanied the decolonization process in East Timor. Far from invading and occupying another independent state, as has happened elsewhere, Indonesia's role in East Timor was precisely one of contributing to the process of decolonization, inter alia, by helping to ensure that the democratically expressed will of the majority of the people not be overruled by the

armed terror and unilateral imposition of a ruthless minority, who were in fact collaborators of the colonial power.

Although welcoming the desire of the East Timorese for integration, the Government of Indonesia refused to accede to it until after the exercise of the right to self-determination had been conducted in compliance with General Assembly resolutions 1514 (XV) and 1541 (XV).

That exercise took place on 31 May 1976, when the duly elected People's Assembly formally petitioned Indonesia for integration. It is important to note that every effort was made to encourage the participation of the United Nations at all stages of the decolonization process. In this regard, the Secretary General of the United Nations, his special representative, the President of the Security Council and the Chairman of the Committee on Decolonization were kept informed of the situation. Finally, only after complying with its constitutional provisions and legal norms, including the dispatch of a parliamentary fact-finding mission to the territory, did the Indonesian Government accept, on 17 July 1976, the petition of East Timor to become independent through integration with Indonesia. Thus, it is clear that Indonesia, by its actions clearly demonstrated its adherence to the principles governing the due process of self determination and decolonization.

As to decolonization and international norms it is time to acknowledge that refusal to also consider resolution 1541 (XV) as relevant to the East Timor case is legally and politically untenable. While the exercise of the right to self-determination should indeed be based on resolution 1514 (XV), the people of East Timor equally cannot be denied their right to choose independence through integration with an independent state in accordance with Principles VI, VIII and IX of resolution 1541 (XV) and as confirmed by the relevant provision of resolution 2625 (XXV).

What is also often ignored is the fact that Principle IX (b) of resolution 1541 (XV) states that with regard to integration "the United Nations could, when it deems necessary, supervise these processes". It is clear, therefore, that under resolution 1541 (XV) the participation of the U.N. in the process of decolonization while laudable, is certainly not mandatory. In this regard, the historical record further shows, that no two cases of decolonization are exactly the same, subject as they are to the realities prevailing in the territories concerned. Many countries have gained their independence without resort to resolution 1514 (XV) or its provisions. In other countries, civil war and rebellions after independence, continue even to this day.

Therefore, it is high-time for those who still cling to myths or misperceptions to accept the fact that decolonization has taken place in East Timor and that what the overwhelming majority of its people really desire is to rapidly develop their province, in peace and freedom, so as to give concrete substance to their newly-won independence.

Mr. Chairman,

At this juncture, my Delegation would have concluded its intervention, if it were not for the irresponsible claims repeated, ad infinitum, against my Government with regard to the human rights situation and the economic, social and cultural conditions in East Timor.

On the issue of human rights, my Delegation is at a loss as to what more can be added to what has already transpired at the Commision on Human Rights in Geneva. Indeed, as I have noted earlier, these allegations have been dredged up before the Commission, not once but on several occasions in the past and to the same result, namely, that the Commission decided to cease consideration of the human rights situation in East Timor.

Having listened to the well-worn half-truths, distortions and outright falsehoods by the petitioners, logic and rationality should dictate the this Commitee no longer allow this annual charade to be enacted under its auspices. F. .ve would have hoped that by now this Committee would have taken into account the relevant findings and judgements of the Commission on Human Rights, as not to do so carries with it serious and far-reaching implications for the credibility of the procedures and decisions of the Commission. We find it difficult to believe that this Committee would intentionally seek to undermine or disperage the work of the Commission. At the same time, however, we also believe that if there is to be no ambiguity on this point, then this Committee should make it abundantly clear in the records of its meetings and in the decisions rendered that it is in accord with the decisions of the Commission, as the appropriate and authoritative United Nations organ in the field of human rights and humanitarian issues.

Having said this, Mr. Chairman, my delegation can not allow this occasion to pass without responding to at least a few of the more pernicious allegations touted by the petitioners in the hope of playing on the humanitarian sentiments of especially western public opinion.

First, is the cynically one-sided portrayal of a certain pastoral note and a letter by Msgr. Belo. Indeed, it is telling of the slanderous campaign against my Government when, in the end, the allegation of scores of persons being detained during President Soeharto's visit to East Timor, in reality, turns out to be only eight who were detained and only two brought to trial, with one receiving a 7 month sentence and the other 6 months. This is the sum total of what was made out by Indonesia's detractors as a major violation of human rights against East Timor. As to letters written by Msgr. Belo, one such letter back in 1985 was subsequently disavowed by the Monsignor as never having been written by him. Concerning the Monsignor's letter to the Secretary General, the Holy See's Apostolic Pro Nuncio to

Indonesia, Francisco Canalini, stated that it was issued on a personal basis by Msgr. Belo as a citizen of the Province. The Vatican's Chief Representative further suggested that the letter was the Monsignor's own responsibility and that, although the Monsignor is the Head of the East Timor Diocese, his letter did not reflect the aspirations of either the Catholic Church or the people of East Timor. This conclusion of the Vatican's Representative is further reflected by Pastor Eduardo DeBrito, who has served the region for 44 years. He said that Belo's letter was of his own doing, that East Timor is a part of the Republic of Indonesia and that the Christians of East Timor are Indonesian citizens. Indeed, Msgr. Belo's letter and the discussion that ensued in the East Timor Provincial House of Representatives, in the Bishop's Conference and by the clergy in the province can only confirm that freedom of expression and human rights are observed and are respected by the Government. Furthermore, the House of Representatives of the Province of East Timor adopted a decision including a Statement of the People of East Timor reaffirming the will of the people as enunciated by the Provisional Government of East Timor on May 31, 1976.

A further allegation that my Delegation can not let pass is the portrayal of East Timor as an essentially closed area, to which access is forbidden or highly restricted and from which corroborative evidence is extremely difficult to obtain. These self-serving allegations are made by the petitioners in order to explain away their lack of any credible information to back-up their outlandish assertions about conditions in the province.

The fact is that East Timor is not today nor has it been closed to the outside world. Here again my delegation can only reiterate what it has previously stated, that respected international humanitarian organisations, such as the ICRC, UNICEF, UNDP, UNHCR and CRS have been active and operating in the province for many years and some since 1979. These international organisations have

maintained regular access to and throughout East Timor. For instance there is a permanent ICRC presence in the province and its representatives maintain frequent trips including inspections of prisons, health and nutrition surveys, tracings, repatriation, etc. While on this point, let me diagress briefly with regard to the petitioners' comments about the activities of international humanitarian organisations in East Timor, by noting the letter from the President of the Portuguese Red Cross to the President of the Indonesian Red Cross earlier this year in which he referes to the highly successful cooperation between the two institutions in their joint humanitarian efforts in East Timor. Likewise, coopęration between the Indonesian Red Cross, the Indonesian Government and the ICRC have been praised by the ICRC officials and lauded by other reputable international agencies.

Beyond the extensive presence of international humanitarian agencies in East Timor, numerous visits continue to take place every year to the province by scores of journalists, foreign dignitaries, diplomats, parliamentary delegations and others. A further indication of the province's entry into the mainstream of contacts and communications and normal interaction with the outside world is the initiation of a tourist industry in the province, which has been greatly facilitated by the already existing daily scheduled air-line connections, which soon will include a route from Darwin through Kupang and directly to Dili, as well as passenger ship travel to East Timor. In fact, it is expected that tourism will soon become an important industry in the province.

Mr. Chairman,

The growth of the tourist industry is but one example of the consequences of Indonesia's commitment to the steady development of the province in all spheres of life-political, economic, social and cultural. This has greatly contributed to the establishment of necessary infrastructures in agriculture, health, education, public housing, communications and other essential areas. The successes

achieved to date in overcoming the backwardness and neglect of the colonial period and to achieve parity with the rest of the nation are also reflected in the largest per capita annual budget allocations and co-ordinated administration by the Central Government in conjunction with the Provincial Government of East Timor .

As a result of the over-all progress achieved, President Soeharto promulgated Decree No. 62 on 29 December1988, by which Decree No. 2 of 1978, as amended by Decree No. 34 of 1980, concerning the co-ordination of the relevant Ministries of the Central Government in achieving the accelerated development of East Timor in order for the newest province to catch up to the levels of the rest of the country, have been repealed and replaced in full by Law No. 5 of 1974 on the provincial administration. Based on this decision all relevant laws, rights and duties applicable to the provincial governments of Indonesia have come into force in East Timor.

This will, inter alia, create greater economic opportunities for the East Timorese by expanding investments and business ventures in the province by Indonesians from other parts of the country and by foreign investors as well. Likewise, East Timorese will have greater opportunities to establish businesses and other ventures in other parts of Indonesia. The areas of trade and tourism will also be promoted as a result.

Hence, there is no question about opening a previously closed province as alleged by some petitioners. On the contrary, the administrative changes only confirm that the people of East Timor are living in freedom and unity with the rest of the Indonesian people and are engaged freely in the political, economic and cultural life of the country as a whole.

Mr. Chairman,

My delegation regrets that so much of our statement had to be devoted to refuting the same allegations against my Government. For we would have preferred to convey the truly significant developments as they relate to the prodigious development efforts underway in East Timor. We believe nonetheless that members are aware of the successes achieved not only from our previous statements but also from the updates contained in my Government's communications to the United Nations, as well as the extensive reports by the numerous visitors to the province. With regard to the latter, foreign visitors to East Timor had this to say : a British Parliamentary delegation which was in East Timor last March generally praised the development of the province. Likewise, the Austrian Ambassador, Mr. Herbert Kroll who was in the province in June was enthusiastic about the development programs. Yet another delegation visiting in June was from the European Parliament headed by Mr. Egon Alfred Klepsch, who was impressed with the progress. Mr. Klepsch even criticised those in the European Parliament who had made critical remarks on East Timor without ever having visited the region. The most recent visitors were Klaus-Jurgen Henrich who headed a seven-member delegation from the "Bundestag" of the FRG to Indonesia. He and members of his group said that they had been most impressed by the progress achieved in the province. They supported the efforts of the Indonesian Government to develop East Timor and confirmed that they had seen for themselves the prositive results achieved.

Therefore, it will suffice to say that the development programs in East Timor have transformed the province into a land of remarkable progress. In a mere thirteen years as Indonesian citizens, the East Timorese have lifted themselves from abject poverty and extreme backwardness to a point where their dreams for a better life are coming true. For they have now fulfilled their aspirations to free

themselves from the shackles of 450 years of alien colonial domination and have achieved a standing of equality, not only under the law as guaranteed by the Indonesian Constitution, but also of coming closer to the goal set out by the Central Government of achieving equality in the socio- economic field with their fellow citizens in other parts of the country.

Mr. Chairman,

We of course know that it is difficult for some people to break out of their political myopia and ideological prejudices. But we think it is time for them to comprehend the fact that thirteen years have now elapsed since self-determination and decolonization have taken place in East Timor. And it is most gratifying that more and more member states have come to recognize and appreciate that today, the East Timorese are enjoying fully the political freedoms and economic and social progress that is their birth right under the constitutional guarantees accorded to every citizen and to every province of the Republic of Indonesia. We therefore again urge Portugal and Indonesia's other detractors objectively to consider the historical facts and the political, social and economic realities as pertaining to East Timor and to recognize that it is by respecting the decision of the overwhelming majority of the people of East Timor that their genuine wishes and their basic human rights and interests can best be served.

Thank you, Mr. Chairman.